

**Panel Remarks to the 12th Annual ABA
Section of Labor and Employment Law Conference**

Friday, November 9, 2018, 8:00 a.m.

**Hilton San Francisco Union Square
333 O'Farrell Street
San Francisco, CA 94102**

Topic: Panelists will provide an update of current legislation and case law, debate the effectiveness in addressing pay equity, and predict what to expect in the coming year. Panelists will review emerging best practices to promote pay equity including the importance of initial compensation setting, audits and options to address pay discrepancies by protected categories.

I. Introduction

Good morning and thank you Aurelio [Pérez
– Shareholder at Littler Mendelson P.C.], for
that wonderful welcome. Many thanks to the
ABA for this excellent conference. It's a
pleasure to be here. As you've heard, I'm
Charlotte Burrows, and I serve as a

Commissioner on the U.S. Equal Employment Opportunity Commission.

Both at the Commission and in my previous work at the Justice Department and as a staffer to the late Senator Kennedy, I've focused on equal pay and other issues impacting equality in the workforce. I'm hoping to use my time today to talk with you about the momentum behind pay equity and what has been working.

II. Momentum

Over the years, the Civil Rights Act of 1964 and the EPA have brought significant advances toward achieving pay equity. In 1963, women working outside the home earned just 59 cents to the dollar compared to white men. That number is now 80 cents to the dollar – an improvement certainly, but work remains to be done. Of course, the numbers are worse for people of color and especially women of color. That's why pay equity continues to be a top priority for the EEOC and that's why we voted to make addressing pay disparities one of our

top national priorities. Because workers are often affected by the intersection of multiple forms of discrimination, we define that priority broadly to include pay discrimination based on race, national origin, disability, age, and genetic identity – as well as sex.

EEOC continues to file pay discrimination cases and is working to use its traditional tools to better enforce laws against pay discrimination. Since 2010, EEOC has obtained more than \$184 million dollars for those subjected to pay discrimination. In fact, EEOC

recently reached a \$2.66 million settlement with the University of Denver in a case alleging that it paid its female law professors almost \$20,000 less than their male counterparts for equal work.

We have also secured injunctive relief so pay practices change going forward. We've been developing policy initiatives and have helped educate the public about pay equity.

While the EPA and Title VII have advanced pay equity, state actors have recently starting filling in the gaps in these laws. Not only have

we seen the passage of equal pay laws in Massachusetts, California, New York, Washington, New Jersey and a number of local jurisdictions, but this year alone, approximately 38 states have pay equity legislation under consideration.¹ Many states and localities have also passed salary history bans.²

Also, as many of the management-side attorneys in the room are aware, an increasing number of employers have embraced pay equity as a goal and equal pay has become a national

¹ How to make the wage gap an injustice of the past, Kimberly Churches, AAUW, <https://www.cnn.com/2018/04/05/opinions/equal-pay-day-solutions-opinion-churches/index.html>

² Salary History Bans, <https://www.hrdiver.com/news/salary-history-ban-states-list/516662/>

topic of conversation. Some companies have committed to goals like banning questions about prior salary during the interview process.³ While there's still much to do, there's also a real and growing corporate interest in making equal pay a reality.

This momentum is not just present in the United States – many countries across the globe have been enacting pay equity legislation, some of which has impacted stateside employers who operate on a global scale. Countries such as

³ More Employers Avoid Legal Minefield By Not Asking About Pay History, <https://www.npr.org/2018/05/03/608126494/more-employers-avoid-legal-minefield-by-not-asking-about-pay-history>

Australia and Finland have seen improved pay equity due in part to their initiatives.⁴ And many other countries, like the U.K., have recently enacted pay equity legislation, which has directly impacted global companies in the United States who must now provide pay data in their offices abroad.⁵

III. Conclusion to Intro Remarks

⁴ International Pay Transparency Policies and the Gender Pay Gap Memorandum, dated July 26, 2018; saved to S Drive in Pay Equity → Research folder.

⁵ *Id.*

Both lawyers and businesses have an opportunity to capitalize on this local and international momentum, and I look forward to our discussion about this and also what works for achieving pay equity.

IV. Preview of What Works

If you have time, you may want to skip the above Conclusion and move to this section, which has a conclusion built in at the end of the section.

Companies have an opportunity to capitalize on this momentum. This means ensuring fair pay should not be seen solely as a matter of compliance. I will be discussing this in greater detail throughout the panel, but briefly, I want to highlight a few things that seem to work:

- Starting salaries matter and companies should determine compensation using a

model that does not result in
discrimination;

- Company leadership should articulate a clear commitment to pay equity;
- Businesses should conduct *meaningful* audits of their hiring and pay practices to identify and prevent pay disparities;
- Employers should also periodically review compensation for purposes of determining pay increases; and
- Companies should eliminate any informal or formal pay secrecy policies.

There's a lot more and I look forward to continuing this discussion with my fellow panelists.

IF ASKED ABOUT THE PAY DATA COLLECTION:

I was disappointed when the White House chose to stay EEOC's proposed collection of pay data from employers with 100 or more employees, given the urgency of this issue, I believe we'll be able to find a workable bipartisan alternative at some point in the future. The examples we're seeing from many states will be helpful data points when we next take up that issue.



1501 M Street, NW | Suite 1000 | Washington, DC 20005

TEL: 202.629.5650

email: info@cwcc.org

June 26, 2019

The Honorable Janet Dhillon, Chair
U.S. Equal Employment Opportunity Commission
131 M Street, NE
Washington, DC 20507

VIA ELECTRONIC MAIL

Dear Chair Dhillon:

On behalf of the more than 200 major corporations that comprise the Center for Workplace Compliance, please accept my warm congratulations on your appointment as Chair of the U.S. Equal Employment Opportunity Commission (EEOC).

Founded in 1976, the Center for Workplace Compliance (CWC) (formerly the Equal Employment Advisory Council (EEAC)) is the nation's leading nonprofit association of employers dedicated exclusively to helping its members develop practical and effective programs for ensuring compliance with fair employment and other workplace requirements. CWC's directors and officers include many of Industry's leading experts in the field of equal employment opportunity and workplace compliance.

Since its inception, CWC has maintained consistent and strong working relationships with the Commission's leadership and staff across its policy, programs, and enforcement functions. Those relationships have served not only to enhance our members' compliance efforts, but also to aid the Commission's understanding of the practical implications of its enforcement efforts and priorities on the employer community.

CWC has testified numerous times before the Commission on a range of enforcement matters and has submitted written comments on nearly every significant EEOC regulatory and policy proposal. In addition, CWC is honored to have had every sitting Commission Chair for at least the last two decades participate as a keynote speaker at CWC events or otherwise address our membership on important EEOC policy matters.

Currently, there are several pressing regulatory and policy compliance issues involving EEOC-enforced rules that CWC has been actively monitoring and analyzing for the benefit of our membership. We would very much welcome an opportunity to meet with you to discuss those issues, as well as to learn about your short- and long-term policy and enforcement priorities for the Commission. If you are amenable, and once you've "settled in," we would be delighted to

7/24 -

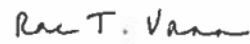
- accept -
→ shoot for
Sept.

Hon. Janet Dhillon
June 26, 2019
Page 2

host you and your staff for an informal lunch in our offices, not only to discuss those issues, but also to introduce you to CWC's leadership and senior staff.

Congratulations once again on your appointment. We look forward to continuing our long tradition of working with the EEOC to promote and advance practical and effective ways to eliminate workplace discrimination and achieve equal employment opportunity. In the meantime, if there is any information I can provide, or questions I can help answer, please let me know. I can be reached by phone at (202) 629-5624 or via email at rvann@cwcc.org.

Sincerely,



Rae T. Vann
Senior Vice President, General Counsel and
Secretary

I. Background and Introductions**A long history of partnership and collaboration**

Unique contributions on range of issues including participation on and/or direct involvement in EEOC working groups and Task Forces

- EEO recordkeeping and reporting and EEO-1 form revisions (ongoing since at least 1982)
 - Catalyst for creation of Census data EEO tabulation ("EEO Special File")
 - Creation of sample employee questionnaire for voluntarily identifying race/ethnicity
- Mediation and Alternative Dispute Resolution (ADR) procedures (ongoing since 1991)
- OWBPA Negotiated Rulemaking Committee (1995-96)
- Best EEO Practices Task Force (1997)
- Priority Charge Handling Procedures (PCHP) Task Force (1997-98)
- Systemic Task Force (2005-06)
- Select Task Force on the Study of Harassment in the Workplace (2015-16, 2018)
- EEOC involvement in CWC compliance conferences and training programs (Charge Processing)
- Constructive feedback and practical, solutions-oriented policy recommendations through written comments, correspondence, and testimony before the Commission

II. Policy Priorities**OEDA, Data Modernization Efforts, and the EEO-1 Report**

- EEO-1 "Component 2" wages and hours-worked reporting mandate
- Expiration of current Information Collection
- Data use and security
- Other current and emerging issues
 - Race/ethnicity, non-binary gender reporting categories

Delegation of Litigation Authority and Litigation Oversight

- Subpoena enforcement
- Policy positions taken in litigation
 - Post Right-to-Sue investigations and litigation
 - Scope of ADAAA
 - Scope of ADEA disparate impact protections
 - Class-based and pattern-or-practice claims under the ADA and Title VII

Quality of Investigations and Conciliations**Pending Regulatory and Sub-Regulatory Proposals**

- ADA and GINA Wellness Regulations
- Digital Charge NPRM
- Draft Guidance on Harassment Issues

III. Upcoming CWC Events

- 2019 Compliance Conference (October 23-25, 2019 | Nashville, TN)
- 2020 Policy Conference (March 4-6, 2020 | Washington, DC)



CWC Resources on Major EEOC Developments Since January 2017

Regulatory Policy and Reform:

- CWC Comments to OMB Regarding Proposed Executive Branch Reorganization (Memo 17-125)
- Congressional Oversight Hearing on EEOC Regulatory and Enforcement Policies (Memo 17-110)
- Wellness Regulations Litigation (Memo 17-273)
- Notice of Proposed Rulemaking to amend Title VII, ADA, GINA, and ADEA Procedures (19-044 and 19-085)

Sub-Regulatory Policy and Guidance:

- Request for Public Comments on Proposed Enforcement Guidance on Unlawful Harassment (Memos 17-011 and 17-069)
- Strategic Plan for Fiscal Years 2018-2022 (Memos 18-006 and 18-040)
- Commemoration of National Mediation Program's 20th Anniversary (Memo 18-163)
- OEDA Launch/Data Modernization Efforts (Memo 19-006)

Recordkeeping and Reporting:

- CWC Letter to OMB Seeking Reconsideration of EEO-1 Component 2 Report Approval (Memo 17-070)
- CWC Supplemental Comments to OMB Regarding Possible Changes to Race/Ethnicity Reporting Standards (Memo 17-095)
- *National Women's Law Center v. OMB, et al.* (Memo 17-248)

Commission Meetings:

- Commission Meeting on Future of Work and Skills Gap (Memo 17-092)
- Commission Meeting on Age Discrimination Issues (Memo 17-143)

From:	Patton, Jay A. <jay.patton@ogletree.com>
To:	"RAFIK WILSON </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=RWILSON>"
Subject:	RE: EEO-1 Component 1 Question - Impact on Component 2 Filing [ODNSS-OGL.FID6056472]
Date:	2019/08/02 10:38:05
Priority:	Normal
Type:	Note

Mr. Wilson,

This is super helpful as usual – thanks so much!

Take care and please let me know if I can help you in the future.

Jay

James A. (Jay) Patton, Jr. | Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

420 20th Street North, Suite 1900 | Birmingham, AL 35203 | Telephone: 205-986-1021 | Mobile: 205-587-2633

jay.patton@ogletree.com |

www.ogletree.com |

[Bio](#)

From: RAFIK WILSON <RAFIK.WILSON@EEOC.GOV>

Sent: Thursday, August 1, 2019 2:56 PM

To: Patton, Jay A. <Jay.Patton@ogletreedeakins.com>

Subject: RE: EEO-1 Component 1 Question - Impact on Component 2 Filing [ODNSS-
OGL.FID6056472]

Good afternoon Jay,

Your client should be able to file Component 2 because it's done on a completely different database that's not linked to Component 1. Your client will need to build their respective 2017 and 2018 Component 2 databases from scratch. Please have your client follow the below instructions to submit their 2018 EEO-1 Component 1 Survey.

The 2018 Component 1 EEO-1 Survey is now closed. The EEOC Employer Data Team will accept encrypted and password protected data files on a USB flash drive via registered United States Postal

Service mail to the EEOC Employer Data Team at the address below. Only Excel, XML and comma separated value (CSV) data files that are formatted according to the data file specifications identified in the [Data File Format & Instructions](#) on the EEO-1 Survey Website will be accepted.

Please include the name of the employer point of contact, telephone number and email address **only**. Do not include the password with the encrypted data. A member of the EEOC Employer Data Team will reach out to the contact via email for the password after the file is received. The deadline for late filers to submit data files is August 30, 2019.

Any questions you may have about the 2017 and 2018 Component 2 EEO-1 data collection effort should be directed to EEOCcompdata@norc.org. The Component 2 Helpdesk can also be reached at (877) 324-6214.

EEOC Employer Data Team

Office of Enterprise Data and Analytics

U.S. Equal Employment Opportunity Commission

P. O. BOX 3128

Reston, VA 20195

Thank you,

The EEOC Employer Data Team

Professionally,

Rafik Wilson

Program Assistant

Employer Data Team

Office of Enterprise Data and Analytics

U.S Equal Employment Opportunity Commission

(202) 663-4064

rafik.wilson@eeoc.gov

www.eeoc.gov

How's my customer service? Please contact:
benita.marsh@eeoc.gov

From: Patton, Jay A. <jay.patton@ogletree.com>

Sent: Thursday, August 01, 2019 3:47 PM

To: RAFIK WILSON <RAFIK.WILSON@EEOC.GOV>

Subject: EEO-1 Component 1 Question - Impact on Component 2 Filing [ODNSS-
OGL.FID6056472]

Mr. Wilson,

I have a question where I would appreciate any insights you can provide:

-

Client has personnel turnover and discovers that it has not filed 2018 EEO-1 component 1 data. Client attempts to file Component 1 data but Component 1 filing site is closed. Client understands that it cannot file Component 2 data for 2018 because it missed the 2018 Component 1 filing.

Can you provide any guidance on this?

Thanks for your help.

Jay

James A. (Jay) Patton, Jr. | Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

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From:	Paretti, Jim <JParetti@littler.com>
To:	"SUSAN SNARE </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=SSNARE>"
Subject:	Thank you!
Date:	2019/07/16 11:21:29
Priority:	Normal
Type:	Note

Great to see you last night – let’s not wait another million years. I’m happy to administer wine as part of the empty-nesting process!!!

Two quick Qs in your capacity as Queen of All Pay Data:

1.

Have you all put out anything or given any guidance on the hardship exemption to filing C-2?

2.

Who’s a good person to go to with a “my client filed, but EEOC is sending them letters saying they didn’t” or that kind of low-level specific compliance issue? I am trying really hard to not bombard Kimberly – do you recommend someone else downstairs I might ping on these sorts of things?

TTYS, and thank you!!

JAP

James A. Paretti, Jr.

Shareholder

202.789.3422 direct

JParetti@littler.com



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Sent Date:	2019/07/16 11:21:22
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From:	The Institute for Workplace Equality <contact@theinstitute4workplaceequality.org>
To:	"KATHI TRAYLOR </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=KTRAYLO>"
Subject:	Important Update: The Institute Joins Amicus Brief Supporting Reversal of Component 2 Decision
Date:	2019/08/28 14:29:40
Priority:	Normal
Type:	Note

The Institute Joins Amicus Brief Supporting Reversal of Component 2 Decision

On August 26, 2019, The Institute joined other employer groups, including the U.S. Chamber of Commerce, Society for Human Resource Management (SHRM), and the Center for Workplace Compliance, asking the D.C. Court of Appeals to reverse the U.S. District Court decision reinstating the EEO-1 Component 2 pay data report.

[Click Here to Read the Full Amicus Brief](#)

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From:	Paretti, Jim <JParetti@littler.com>
To:	"KIMBERLY ESSARY </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=KESSARY>"
Subject:	EEO-1 Website / Hacking "Consent"
Date:	2019/07/19 10:12:38
Priority:	Normal
Type:	Note

Hey, Kimberly... hope this finds you as well as can be expected in this muddle!

See the below – we’ve had a few clients already balk with a sorta “how can we possibly simply consent to this”?

Seems to me the same risks were there when Sage was doing Component 1 these recent years. Is there a reason NORC feels the need to flag this? Worry it may depress reporting. Thoughts?

At least the weekend is almost here...

NORC at the University of Chicago has been contracted to conduct the Component 2 EEO-1 Compensation Data Collection. This is a government-contracted system that may be accessed and used only for official government business by authorized personnel. Unauthorized access or use of this website may subject violators to criminal, civil, and/or administrative action. The data in this system are being collected with software that is designed to secure your data and provide you with confidentiality. However, please be apprised that all Internet-based communication is subject to the remote likelihood of tampering from an outside source. Access or use of this website by any user constitutes consent to this term.

James A. Paretti, Jr.

Shareholder

202.789.3422 direct

JParetti@littler.com



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815 Connecticut Avenue, NW, Suite 400, Washington, DC 20006-4046

From: Gokturk, Chris <CGokturk@littler.com>

Sent: Friday, July 19, 2019 10:05 AM

To: Goldstein, David J. <DGoldstein@littler.com>; Paretti, Jim <JParetti@littler.com>; Lotito, Michael J. <MLotito@littler.com>; Gibbons, Lance <LGibbons@littler.com>

Cc: Brennan, Megan <MBrennan@littler.com>

Subject: RE: EEO-1 Component 2 -- More to be outraged about.

Is there anything we can do about this – Jim, Michael? Why would a company agree to this?

Chris

From: Goldstein, David J. <DGGoldstein@littler.com>

Sent: Thursday, July 18, 2019 3:08 PM

To: Paretti, Jim <JParetti@littler.com>; Lotito, Michael J. <MLotito@littler.com>; Gibbons, Lance <LGibbons@littler.com>

Cc: Gokturk, Chris <CGokturk@littler.com>; Brennan, Megan <MBrennan@littler.com>

Subject: EEO-1 Component 2 -- More to be outraged about.

NORC's website for EEO-1 filing includes the following disclaimer.

I don't think that EEO-1 filers can be compelled to accept this provision. Anything we can do about this?

David Goldstein

Shareholder

612.313.7611 direct, 952.255.9295 mobile, 612.677.3815 fax

DGoldstein@littler.com



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Sent Date:	2019/07/19 10:12:09
Delivered Date:	2019/07/19 10:12:38

From:	Paretti, Jim <JParetti@littler.com>
To:	"KIMBERLY ESSARY </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=KESSARY>"
Subject:	RE: Extensions?
Date:	2019/09/18 16:45:29
Priority:	Normal
Type:	Note

Thank you!!

James A. Paretti, Jr.

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From: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>

Sent: Wednesday, September 18, 2019 4:33 PM

To: Paretti, Jim <JParetti@littler.com>

Subject: RE: Extensions?

[EXTERNAL E-MAIL]

Hi, Jim-

In response to your question, please see below:

As ordered by the court in

National Women's Law Center, et al., v. Office of Management and Budget, et al., Civil Action No. 17-cv-2458 (D.D.C.), the Component 2 data collection closes on

September 30, 2019.

Thanks.

Kimberly

Kimberly S. L. Essary | Deputy Director and Senior Counsel

Office of Enterprise Data and Analytics

U.S. Equal Employment Opportunity Commission

Washington, DC

kimberly.essary@eeoc.gov

| (202) 663-4026

From: Paretti, Jim <JParetti@littler.com>

Sent: Tuesday, September 17, 2019 12:47 PM

To: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>

Subject: Re: Extensions?

Thank YOU!! And I was serious about a drink maybe next week? Mother Paretti arriving for her tour of the provinces on Thursday...

Sent from my iPhone

On Sep 17, 2019, at 12:45 PM, KIMBERLY ESSARY
<KIMBERLY.ESSARY@eeoc.gov>wrote:

[EXTERNAL E-MAIL]

Hi, Jim-

I will need to get back to you on this. Stay tuned.

Thanks.

Kimberly

Kimberly S. L. Essary | Deputy Director and Senior Counsel

Office of Enterprise Data and Analytics

U.S. Equal Employment Opportunity Commission

Washington, DC

kimberly.essary@eeoc.gov

| (202) 663-4026

From: Paretti, Jim <JParetti@littler.com>

Sent: Monday, September 16, 2019 5:16 PM

To: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>

Subject: Extensions?

Have a client who WANTS to file C-2, but is having a hard time getting a prior vendor to give them historical data.

Are you guys allowing for any extensions this time around (I can imagine why you wouldn't be), and/or how long do we expect portal to stay open, given judge's "order" tolling the expiration (that part of which does not appear to be challenged on appeal)?

Any advice for the lovelorn?

Hope all is well. Can I buy you a drink sometime soon??

James A. Paretti, Jr.

Shareholder

202.789.3422 direct

JParetti@littler.com

<image001.png>

<image002.png>

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Delivered Date:	2019/09/18 16:45:29

From:	Gibbons, Lance <LGibbons@littler.com>
To:	"KIMBERLY ESSARY </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=KESSARY>"
Subject:	RE: Component 2 Question
Date:	2019/09/20 08:49:22
Priority:	Normal
Type:	Note

Hi Kimberly,

Hope all is well. I am getting questions from clients on the 9/30 deadline for Component 2.

1.

Is there any mechanism for requesting an extension? I didn't see one.

2.

What if they can't meet the deadline, will the submission portal stay open?

Thanks.

Lance

From: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>

Sent: Thursday, July 18, 2019 11:55 AM

To: Gibbons, Lance <LGibbons@littler.com>

Subject: RE: Component 2 Question

[EXTERNAL E-MAIL]

Lance-

A couple of questions. Did your clients check the FAQs at <https://eeocomp2.norc.org>? If the answer is yes, could you give me an example of the incorrect answers they received from the HelpDesk. There will be additional FAQs added to the website soon (hopefully by end of week).

Kimberly

Kimberly S. L. Essary | Deputy Director and Senior Counsel

Office of Enterprise Data and Analytics

U.S. Equal Employment Opportunity Commission

Washington, DC

kimberly.essary@eeoc.gov

| (202) 663-4026

From: Gibbons, Lance <LGibbons@littler.com>

Sent: Wednesday, July 17, 2019 2:46 PM

To: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>; MARGARET NOONAN <MARGARET.NOONAN@EEOC.GOV>

Subject: RE: Component 2 Question

Good afternoon,

I have a NORC Help Desk question. Who is staffing the NORC Help Desk? Is it EEOC staff? NORC staff?

I ask b/c we have had clients call with legitimate questions on how to handle some tricky / unique reporting requirements / situations and the answers they are getting are don't seem correct.

Thanks.

Lance

From: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>

Sent: Thursday, July 11, 2019 1:56 PM

To: Gibbons, Lance <LGibbons@littler.com>; MARGARET NOONAN
<MARGARET.NOONAN@EEOC.GOV>

Subject: RE: Component 2 Question

[EXTERNAL E-MAIL]

Lance-

We are currently in the process of drafting FAQs dealing with mergers and acquisitions. Those FAQs will be provided on the Component 2 website at

-
<https://eeocomp2.norc.org>.

You can contact the Component 2 Helpdesk if you have additional Component 2 questions.

Thanks.

Kimberly

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Washington, DC

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| (202) 663-4026

From: Gibbons, Lance <LGibbons@littler.com>

Sent: Thursday, July 11, 2019 1:52 PM

To: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>; MARGARET NOONAN <MARGARET.NOONAN@EEOC.GOV>

Subject: Component 2 Question

I have a client question for you.

Client acquired a company in 2018. Client filed EEO-1 Component 1 information for both client and acquired company in 2018.

If client files Component 2 information for the acquired company for 2017, what happens on EEOC's end? This client did not file the Component 1 information in 2017 for this company b/c they didn't acquire them until 2018.

Thanks.

Lance

Lance Gibbons

Shareholder

1-202-772-2520 direct, 202-550-5104 mobile

LGibbons@littler.com



Littler



Littler

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Sender: Gibbons, Lance <LGibbons@littler.com>
--

Recipient:	"KIMBERLY ESSARY </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=KESSARY>"
Sent Date:	2019/09/20 08:49:14
Delivered Date:	2019/09/20 08:49:22

From:	Gibbons, Lance <LGibbons@littler.com>
To:	"Karen Grigorian <GRIGORIAN-KAREN@norc.org>"
CC:	"KIMBERLY ESSARY </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=KESSARY>"; "EEOCompdata <eeocompdata@norc.org>"
Subject:	Re: EEO-1 Component 1 Missed Filing
Date:	2019/09/21 19:41:37
Priority:	Normal
Type:	Note

I will supply the information as soon as possible. Thank you.

Lance Gibbons

202.550.5104

Sent safely from my iPhone

On Sep 21, 2019, at 7:30 PM, Karen Grigorian <GRIGORIAN-KAREN@norc.org>wrote:

[EXTERNAL E-MAIL]

Hello Mr. Littler,

Please provide me with the company name and FEIN for firm that would like to file Component 2, as the contact information including email for the person responsible for filing.

Thank you,

Karen Grigorian | Vice President, Education and Child Development Studies

NORC at the University of Chicago

55 E. Monroe, 30th Floor, Chicago, IL 60613

grigorian-karen@norc.org
| office (312) 759-4025
| mobile (312) 835-8662

<image003.png>

From: Gibbons, Lance [<mailto:LGibbons@littler.com>]

Sent: Saturday, September 21, 2019 12:34 PM

To: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>;
EEOCcompdata <eeocompdata@norc.org>

Cc: Karen Grigorian <GRIGORIAN-KAREN@norc.org>

Subject: RE: EEO-1 Component 1 Missed Filing

NOTE: This email originated outside NORC.

Thank you Kimberly!

From: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>

Sent: Saturday, September 21, 2019 1:33 PM

To: EEOCcompdata <eeoccompdata@norc.org>

Cc: Karen Grigorian <GRIGORIAN-KAREN@norc.org>; Gibbons, Lance
<LGibbons@littler.com>

Subject: FW: EEO-1 Component 1 Missed Filing

Component 2 HelpDesk-

Please see request below for assistance filing Component 2. Mr. Gibbons' client needs to file Component 2 and will need additional assistance with registration since they did not file for Component 1.

Lance- I am also copying Karen Grigorian with NORC on this email in the event your client has further issues with the HelpDesk registration.

Thanks.

Kimberly

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Office of Enterprise Data and Analytics

U.S. Equal Employment Opportunity Commission

Washington, DC

kimberly.essary@eeoc.gov

| (202) 663-4026

From: Gibbons, Lance <LGibbons@littler.com>

Sent: Friday, September 20, 2019 2:30 PM

To: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>

Subject: EEO-1 Component 1 Missed Filing

Kimberly,

Sorry to bother you again. We have a client that tried to file Component 2 only to realize that it didn't file Component 1. Now with Component 1 closed they can't get any help.

Is there a resource within EEOC I can direct them to? Thanks.

Lance

Lance Gibbons

Shareholder

1-202-772-2520 direct, 202-550-5104 mobile

LGibbons@littler.com

<image004.png>

<image005.png>

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Sender:	Gibbons, Lance <LGibbons@littler.com>
Recipient:	"Karen Grigorian <GRIGORIAN-KAREN@norc.org>"; "KIMBERLY ESSARY </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=KESSARY>"; "EEOCcompdata <eeoccompdata@norc.org>"
Sent Date:	2019/09/21 19:41:29
Delivered Date:	2019/09/21 19:41:37

From:	Michael Goodman - CWC <mgoodman@cdc.org>
To:	"KIMBERLY ESSARY </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=KESSARY>"
CC:	"Rae Vann - CWC <rvann@cdc.org>"; "Danny Petrella - CWC <dpetrella@cdc.org>"
Subject:	RE: Seeking EEO-1 Component 2 guidance
Date:	2019/07/12 17:01:27
Priority:	Normal
Type:	Note

Thanks, Kimberly. We will keep an eye out for the next round of FAQs and look forward to speaking with you when you have a chance to come up for air.

Best,

Mike

From: KIMBERLY ESSARY [mailto:KIMBERLY.ESSARY@EEOC.GOV]

Sent: Friday, July 12, 2019 4:55 PM

To: Michael Goodman - CWC

Cc: Rae Vann - CWC; Danny Petrella - CWC

Subject: RE: Seeking EEO-1 Component 2 guidance

Hi, Mike-

We are currently working on another round of FAQs – many of which will address the very issues you raise below. We hope to issue the additional FAQs next week.

Obviously, it is very helpful to know the questions that filers have so that we can address them. I will touch base with you next week. Right now, my schedule is a little unsettled given work on launch.

Have a good weekend.

Kimberly

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Office of Enterprise Data and Analytics

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Washington, DC

kimberly.essary@eeoc.gov

| (202) 663-4026

From: Michael Goodman - CWC <mgoodman@cdc.org>

Sent: Friday, July 12, 2019 2:58 PM

To: KIMBERLY ESSARY <KIMBERLY.ESSARY@EEOC.GOV>

Cc: Rae Vann - CWC <rvann@cdc.org>; Danny Petrella - CWC <dpetrella@cdc.org>

Subject: Seeking EEO-1 Component 2 guidance

Hi Kimberly,

I hope that you had an opportunity to enjoy the July 4th holiday ... and get some rest in advance of the upcoming Component 2 launch! CWC members have raised a number of interesting questions related, among other things, to exactly what they are obligated to report in connection with units that were either acquired or divested during the reporting year. We would like to set up some time next week, if possible, to understand the EEOC's position on these questions.

Please advise as to a few days/times that would work for you, and I will coordinate at our end. We will be joined by Rae Vann, Senior Vice President/General Counsel and Danny Petrella, Senior Counsel of the Center for Workplace Compliance.

We look forward to speaking with you.

Best regards,

Michael

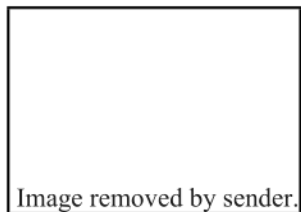
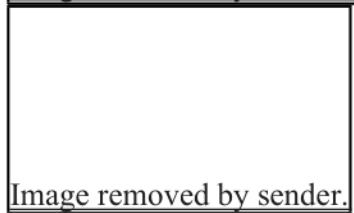
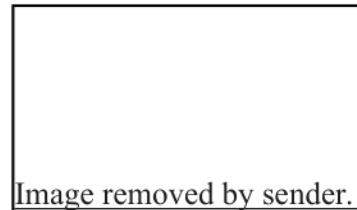
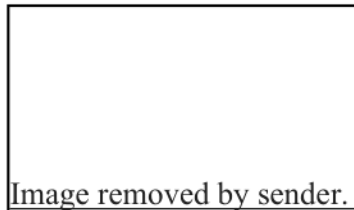
Michael Goodman

Director, Compliance Solutions

1501 M Street, NW | Suite 1000 | Washington, DC 20005

Tel/Direct: 202-629-5679

mgoodman@cwcc.org | www.cwcc.org



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Sender:	Michael Goodman - CWC <mgoodman@cdc.org>
Recipient:	"KIMBERLY ESSARY </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=KESSARY>"; "Rae Vann - CWC <rvann@cdc.org>"; "Danny Petrella - CWC <dpetrella@cdc.org>"
Sent Date:	2019/07/12 17:00:55
Delivered Date:	2019/07/12 17:01:27

From:	KIMBERLY ESSARY </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=KESSARY>
To:	"Gibbons, Lance <LGibbons@littler.com>"
CC:	"MARGARET NOONAN </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=14fc491131f8432caa65a1a51ad0eed9-MNOONAN>"
Subject:	Upload Specs Now Available
Date:	2019/07/11 10:00:29
Priority:	Normal
Type:	Note

Lance-

Margaret forwarded me your email from earlier in the week. The upload specs are now on the Component 2 EEO-1 Online Filing System website.

See below.

<https://eeocomp2.norc.org/info.html>

Kimberly

Kimberly S. L. Essary | Deputy Director and Senior Counsel
Office of Enterprise Data and Analytics
U.S. Equal Employment Opportunity Commission
Washington, DC
kimberly.essary@eeoc.gov | (202) 663-4026

Sender:	KIMBERLY ESSARY </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=KESSARY>
Recipient:	"Gibbons, Lance <LGibbons@littler.com>"; "MARGARET NOONAN </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=14fc491131f8432caa65a1a51ad0eed9-MNOONAN>"
Sent Date:	2019/07/11 10:00:26
Delivered Date:	2019/07/11 10:00:29

From:	Gibbons, Lance <LGibbons@littler.com>
To:	"MARGARET NOONAN </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=14fc491131f8432caa65a1a51ad0eed9-MNOONAN>"
Subject:	Component 2 Data Specs
Date:	2019/07/09 07:35:22
Priority:	Normal
Type:	Note

Good morning,

It's my understanding that EEOC has shared the Component 2 data upload specs with some groups for feedback. Any chance that I can get an advance copy to share with my Littler colleagues? Thanks.

Lance

Lance Gibbons

Shareholder

1-202-772-2520 direct, 202-550-5104 mobile

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Recipient:	"MARGARET NOONAN </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=14fc491131f8432caa65a1a51ad0eed9-MNOONAN>"
Sent Date:	2019/07/09 07:35:14
Delivered Date:	2019/07/09 07:35:22

From:	Michael Goodman - CWC <mgoodman@cw.org>
To:	"CHRIS HAFFER </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=115e18f858c441728f7d6bf2871b5670-CHAFFER>"
Subject:	RE: EEOC's Report of Steps to Implement the EEO-1 Component 2 Data Collection
Date:	2019/09/10 11:04:39
Priority:	Normal
Type:	Note

Sounds good, thanks. We are happy and prepared to slot you in last minute if things change.

From: CHRIS HAFFER [mailto:CHRIS.HAFFER@EEOC.GOV]

Sent: Monday, September 9, 2019 4:44 PM

To: Michael Goodman - CWC

Subject: RE: EEOC's Report of Steps to Implement the EEO-1 Component 2 Data Collection

Thanks, Mike....lol....too much is in flux at the present. If things change, I'll let you know.

From: Michael Goodman - CWC <mgoodman@cw.org>

Sent: Monday, September 09, 2019 4:33 PM

To: CHRIS HAFFER <CHRIS.HAFFER@EEOC.GOV>

Subject: RE: EEOC's Report of Steps to Implement the EEO-1 Component 2 Data Collection

Chris, thanks so much for the quick response! Forgive me for appealing one last time, but is there any chance you would re-consider joining us for this Friday morning session at our upcoming conference in Nashville

(full agenda here ... _

<https://www.cwc.org/docs/CC19-Agenda.pdf>)? Folks will be fresh off their first Component 2 experience and will no doubt be interested in your take on these and other questions.

We understand that you can't always say yes, but we'd love to have you join us!

Friday, October 25

11:00 AM

WHAT EEOC (AND OTHERS) MIGHT DO WITH YOUR NEWLY FILED EEO-1 COMPONENT 2 DATA

Most of the time and effort that has gone into EEO-1 "Component 2" reporting has focused on whether and how employer data should be collected,

with relatively little thought given to

what might actually be done with these data. That ends now. In this session, attendees will learn how the EEOC, the media, and advocacy

groups will be using these data – which report headcount and

hours worked data by predetermined pay bands – and how you can analyze these data yourself to proactively prepare your organization's response.

Thanks again,

Mike

From: CHRIS HAFFER [<mailto:CHRIS.HAFFER@EEOC.GOV>]

Sent: Monday, September 9, 2019 2:54 PM

To: Michael Goodman - CWC

Cc: CHRIS HAFFER

Subject: RE: EEOC's Report of Steps to Implement the EEO-1 Component 2 Data Collection

Hi Mike,

In the online form process, all the report data is stored and retained whether the information is certified or not. The prompting that NORC did on 9/3-5/2019 was restricted to a very small subset of employers which focused on the online filers and excluded upload filers. Specifically, they began prompting with those that had:

- No upload file activity for either year
- Used the online form to submit all reports for both 2017 and 2018
- Had not certified the reports for either 2017 and 2018 (i.e., neither year is certified)

I believe your concern centers on the **upload** functionality of the online filing system. You are correct. If a filer uploads their data in the system and the file passes validation, but they do not certify, they will need to upload

that clean file again and certify to be complete. Re-uploading a correct file should only take a few minutes to do – since the file is already known to be right/valid, they would just send it again and complete the entire filing process which includes the employer level questions and certification information.

NORC has now turned their attention to the 37,000 employers that have no activity in the online filing system – no registration, no online form, no uploads.

Hope this helps.

Chris

From: Michael Goodman - CWC <mgoodman@cw.org>

Sent: Monday, September 09, 2019 1:41 PM

To: CHRIS HAFFER <CHRIS.HAFFER@EEOC.GOV>

Subject: EEOC's Report of Steps to Implement the EEO-1 Component 2 Data Collection

Hi Chris,

The report referenced in the subject line, which was submitted on Friday, says that on September 3, NORC contacted by telephone employers who had submitted data to the Online Filing System but who had not yet certified their data.

Our experience so far, unless we have misunderstood the instructions, is that if you leave the system without certifying, you have to re-upload the data. I suppose NORC would know of companies that had done that. Is it those companies that NORC would have contacted on the 3rd?

Thanks in advance for clarity you might be able to provide on that!

Best regards,

Mike

Michael Goodman

Director, Compliance Solutions

1501 M Street, NW | Suite 1000 | Washington, DC 20005

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-

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Michael Goodman

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Michael Goodman

Director, Compliance Solutions

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Sender:	Michael Goodman - CWC <mgoodman@cdc.org>
Recipient:	"CHRIS HAFFER </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=115e18f858c441728f7d6bf2871b5670-CHAFFER>"
Sent Date:	2019/09/10 11:04:34
Delivered Date:	2019/09/10 11:04:39

**DEFENDANT EEOC'S REPORT OF STEPS TO
IMPLEMENT THE EEO-1 COMPONENT 2 DATA
COLLECTION: SUBMITTED SEPTEMBER 27, 2019**

Activities Since Submission of September 6, 2019 Status Report to Court

On September 9, 2019, an updated version of the upload file validation specifications was added to the "More Info" page on the Component 2 EEO-1 Online Filing System website along with an appendix with additional upload filing guidance.

On September 12, 2019, an update was added to the Component 2 EEO-1 Filing System with additional instructions for contacting the Component 2 EEO-1 HelpDesk in order to expedite requests for filers requesting a "USERID."

Effective September 17, 2019, the Component 2 EEO-1 HelpDesk hours have been extended to accommodate the increase in volume of calls and emails. The updated Central Time hours are Monday through Friday, 8:00 am to 8:00 pm; Saturday, 10:00 am to 4:00 pm; and Sunday, 12:00 pm to 5:00 pm. The expanded HelpDesk hours were posted on the Component 2 website. In addition, NORC has trained an additional 21 HelpDesk agents, bringing the total HelpDesk agent team to 108 agents. As of September 25, 2019, the Component 2 EEO-1 HelpDesk has answered a total of 27,237 calls from filers and received 13,442 voice mails and 22,050 emails since opening. In the preceding week alone, the HelpDesk answered 2,347 calls from filers and received 2,243 voice mails and 4,114 emails.

As further follow up to the second reminder and email, NORC, on behalf of the EEOC, contacted via telephone approximately 37,000 employers who had neither contacted the NORC Component 2 HelpDesk, registered for access to the online portal, or submitted data.

Additionally, beginning on September 18, 2019, NORC, on behalf of the EEOC, began sending reminder emails to the following groups of filers: (1) 863 filers who have started, but not yet

completed the Component 2 EEO-1 Online Filing System registration; (2) 1,135 filers who have submitted reports, but have not certified either one or both years; (3) 2,438 filers who have registered, but not begun to report data; and (4) 858 filers with fewer than 300 employees who have only filed one year of Component 1 data.

Furthermore, as previously noted, the EEOC has received a small number of requests from filers seeking exemptions from reporting pursuant to 29 C.F.R. § 1602.10. As the EEOC receives these requests, it is holding Commissioner votes on whether to grant the exemptions and informing the requesters of the results of the Commission's votes.

Activities Anticipated from September 27, 2019 – September 30, 2019

The EEOC, through NORC, will continue to collect Component 2 data for 2017 and 2018. The EEOC also plans on alerting the public that it will continue to accept data as long as the Court's order is in effect, as described in the following section.

Activities Anticipated after September 30, 2019

So long as the Court's order is in effect stating that the collection will not be complete until it reaches what the Court has determined to be the target response rate, the EEOC will continue to accept Component 2 data for 2017 and 2018. The EEOC will incur additional contract-related costs for any additional period for which the collection remains open.¹

Status of Response Rate

As of September 25, 2019, 39.7% of eligible filers have completed submission of Component 2 EEO-1 data.²

¹ The EEOC will incur approximately \$1.5 million in additional contract-related costs to continue to collect Component 2 data for six more weeks after September 30, 2019. The Commission requested a quote from NORC on the cost for an additional six weeks of data collection because the Commission allowed filers to submit Component 1 data six weeks after closing date.

² As more information on the number of eligible filers has been gathered through the collection, the denominator used to calculate this response rate has increased slightly.

From:	Kaylin, Anthony <akaylin@aseonline.org>
To:	"Paul McGovern <paulm@praxiscompliance.co>"; "beverly aapconsultants.com <beverly@aapconsultants.com>"; "byrdra03@vt.edu"; "ornella.castman@bayer.com"; "bethr@berkshireassociates.com"; "cindy.kaneshiro@usfoods.com"; "teresa.salinas@cerner.com"; "ivy.latimer@CVSHealth.com"; "(b)(7)(C)"; "(b)(7)(C)"; "karpen@weissargo.com"; "danielle.mizuno@vsp.com"; "sheriv@microsoft.com"; "aclemon@uab.edu"; "lori.kirsch@bcbsfl.com"; "kevin.fitzpatrick3@pepsico.com"; "maria.smedley@aecc.com"; "valerie.vickers@jpmchase.com"; "CCrotty@constangy.com"; "Paul McGovern <psm@psmcgovern.com>"; "Madeline.Cornell-d'Echert@amwater.com"; "wallace.alicia@lilly.com"; "stuart.persky@sanofi.com"; "Denise.King@l3harris.com"
Subject:	EEOC Component 2 Update
Date:	2019/09/27 10:06:54
Priority:	Normal
Type:	Note

MILG--In a September 27, 2019 Status Report that was filed in the lawsuit discussing post-September 30th activities, the EEOC stated that so long as the Court's order is in effect stating that the collection will not be complete until it reaches what the Court has determined to be the target response rate, the EEOC will continue to accept Component 2 data for 2017 and 2018. The EEOC encourages all filers to submit their data as soon as possible. If you haven't filed, you still have time. Use the upload approach. It's actually not that bad. There are no download reports like in the Sage reporting, but there are certifications that can be downloaded to show completion. Doing it manually is 20 pages per report (each page is an EEO category and reports are of salary and

hours separately). To get a copy of any report if you manually enter data, you will have to print each page separately. NORC understands the issues-I was contacted to discuss the issues with the manual issues and other features missing. NORC had only 2.5 months to get this tool up and running. We hope though that NORC will continue as the reporting tool but will add the features to make the tool more robust.

Beverly, can you get an email out to the full email list. Thanks!

Anthony Kaylin

American Society of Employers

19575 Victor Parkway Suite 100

Livonia, MI 48152

Tel: (248) 223-8012

Cell: (734) 881-3550

akaylin@aseonline.org

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Sender: Kaylin, Anthony <akaylin@aseonline.org>
--

	<p>"Paul McGovern <paulm@praxiscompliance.co>"; "beverly aapconsultants.com <beverly@aapconsultants.com>"; "byrdra03@vt.edu"; "ornella.castman@bayer.com"; "bethr@berkshireassociates.com"; "cindy.kaneshiro@usfoods.com"; "teresa.salinas@cerner.com"; "ivy.latimer@CVSHealth.com"; (b)(7)(C) (b)(7)(C) "kcarpent@wellsfargo.com"; "danielle.mizuno@vsp.com"; "sheriv@microsoft.com"; "aclemon@uab.edu"; "lori.kirsch@bcbsfl.com"; "kevin.fitzpatrick3@pepsico.com"; "maria.smedley@aecc.com"; "valerie.vickers@jpmchase.com"; "CCrotty@constangy.com"; "Paul McGovern <psm@psmcgovern.com>"; "Madeline.Cornell-d'Echert@amwater.com"; "wallace.alicia@lilly.com"; "stuart.persky@sanofi.com"; "Denise.King@l3harris.com"</p>
Sent Date:	2019/09/27 10:04:40
Delivered Date:	2019/09/27 10:06:54

From:	H. Juanita Beecher <nbeecher@fortneyscott.com>
To:	"CHRIS HAFFER </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=115e18f858c441728f7d6bf2871b5670-CHAFFER>"
Subject:	Re: EEOC EEO-1 Component 2 Data Collection Announcement
Date:	2019/09/27 11:14:55
Priority:	Normal
Type:	Note

You bet

Sent from my iPhone

> On Sep 27, 2019, at 10:13 AM, CHRIS HAFFER <CHRIS.HAFFER@eeoc.gov> wrote:
>
> please be sure my name doesn't show up in any communications. Simply reference the court status report. Thanks.
>
> -----Original Message-----
> From: H. Juanita Beecher <nbeecher@fortneyscott.com>
> Sent: Friday, September 27, 2019 11:11 AM
> To: CHRIS HAFFER <CHRIS.HAFFER@EEOC.GOV>
> Subject: Re: EEOC EEO-1 Component 2 Data Collection Announcement
>
> Thank you Chris
>
> Sent from my iPhone
>
> On Sep 27, 2019, at 8:51 AM, CHRIS HAFFER <CHRIS.HAFFER@eeoc.gov<mailto:CHRIS.HAFFER@eeoc.gov>> wrote:
>
> All - please relay this message to your clients and members. It will appear shortly on the EEOC website and the
Component 2 website.
>
>
> In a September 27, 2019 Status Report that was filed in the lawsuit discussing post-September 30th activities, the
EEOC stated that so long as the Court's order is in effect stating that the collection will not be complete until it reaches
what the Court has determined to be the target response rate, the EEOC will continue to accept Component 2 data for
2017 and 2018. The EEOC encourages all filers to submit their data as soon as possible.
>
> Thanks,
>
> Chris Haffer
>
>
> Samuel C. "Chris" Haffer, Ph.D.
> Chief Data Officer
> Director, Office of Enterprise Data and Analytics U.S. Equal Employment Opportunity Commission
> 131 M Street, NE
> Washington, DC 20507
> Chris.Haffer@eeoc.gov<mailto:Chris.Haffer@eeoc.gov>
> 202.663.4949 Office
> 202.351.9615 Mobile
>
>
>
>
> <087-1 - Status Report.pdf>

Sender:	H. Juanita Beecher <nbeecher@fortneyscott.com>
Recipient:	"CHRIS HAFFER </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=115e18f858c441728f7d6bf2871b5670-CHAFFER>"
Sent Date:	2019/09/27 11:14:51
Delivered Date:	2019/09/27 11:14:55

From:	Kaylin, Anthony <akaylin@aseonline.org>
To:	"CHRIS HAFFER </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=115e18f858c441728f7d6bf2871b5670-CHAFFER>"
Subject:	RE: Update on EEOC's Component 2 data reporting for 2017 and 2018
Date:	2019/09/27 13:57:47
Priority:	Normal
Type:	Note

Never. Have a great weekend!

Anthony Kaylin

American Society of Employers

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From: CHRIS HAFFER <CHRIS.HAFFER@EEOC.GOV>

Sent: Friday, September 27, 2019 1:57 PM

To: Kaylin, Anthony <akaylin@aseonline.org>

Subject: Re: Update on EEOC's Component 2 data reporting for 2017 and 2018

That's great! Favor - please don't attribute to me. You learned about it from the court report and EEOC website.

From: Kaylin, Anthony <akaylin@aseonline.org>

Sent: Friday, September 27, 2019 1:55:01 PM

To: CHRIS HAFFER <CHRIS.HAFFER@EEOC.GOV>

Subject: FW: Update on EEOC's Component 2 data reporting for 2017 and 2018

FYI

Anthony Kaylin

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From: Joseph Pokorny <jpokorny@meyersroman.com>

Sent: Friday, September 27, 2019 10:19 AM

To: Kaylin, Anthony <akaylin@aseonline.org>

Subject: RE: Update on EEOC's Component 2 data reporting for 2017 and 2018

Great news, Tony. Thanks for sending this. I can't tell you how many panic calls I've taken this week about Component 2.

Joseph C. Pokorny

Attorney

Meyers, Roman, Friedberg & Lewis

28601 Chagrin Boulevard, Suite 600

Cleveland, Ohio 44122

216-831-0042, ext. 221

216-831-0542 - fax

jpokorny@meyersroman.com

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signature-d

mrfl-20-



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graphics, or compromise the security of your systems. You are solely responsible for checking for and deleting, if necessary, any such viruses.

From: Kaylin, Anthony [<mailto:akaylin@aseonline.org>]

Sent: Friday, September 27, 2019 10:00 AM

Subject: Update on EEOC's Component 2 data reporting for 2017 and 2018

MILG--In a September 27, 2019 Status Report that was filed in the lawsuit discussing post-September 30th activities, the EEOC stated that so long as the Court's order is in effect stating that the collection will not be complete until it reaches what the Court has determined to be the target response rate, the EEOC will continue to accept Component 2 data for 2017 and 2018. The EEOC encourages all filers to submit their data as soon as possible. If you haven't filed, you still have time. Use the upload approach. It's

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Those in other ILGs please pass the word on.

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Sender:	Kaylin, Anthony <akaylin@aseonline.org>
Recipient:	"CHRIS HAFFER </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=115e18f858c441728f7d6bf2871b5670-CHAFFER>"
Sent Date:	2019/09/27 13:57:38
Delivered Date:	2019/09/27 13:57:47

From:	Kaylin, Anthony <akaylin@aseonline.org>
To:	"CHRIS HAFFER </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=115e18f858c441728f7d6bf2871b5670-CHAFFER>"
Subject:	FW: Update: EEO-1 Component 2 Portal to Remain Open
Date:	2019/09/27 14:27:24
Priority:	Normal
Type:	Note

FYI

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